

Nos. 14-2274/2275

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA (14-2274),

Plaintiff-Appellant,

SIERRA CLUB (14-2275),

Intervenor Plaintiff-Appellant,

V.

DTE ENERGY COMPANY and DETROIT EDISON COMPANY,

**Defendants-Appellees.**

**FILED**

May 01, 2017

) DEBORAH S. HUNT, Clerk

ORDER

**BEFORE:** BATCHELDER, DAUGHTREY, and ROGERS, Circuit Judges.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision of the cases. The petition then was circulated to the full court. No judge has requested a vote on the suggestion for rehearing en banc.

Therefore, the petition is denied. Judge Rogers would grant rehearing for the reasons stated in his dissent.

**ENTERED BY ORDER OF THE COURT**

Rich L. Hunt

**Deborah S. Hunt, Clerk**

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

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Filed: May 01, 2017

Mr. F. William Brownell  
Hunton & Williams  
2200 Pennsylvania Avenue, N.W.  
Washington, DC 20037

Re: Case No. 14-2274/14-2275, *USA v. DTE Energy Company, et al*  
Originating Case No. : 2:10-cv-13101

Dear Mr. Brownell,

The Court issued the enclosed Order today in these cases.

Sincerely yours,

s/Beverly L. Harris  
En Banc Coordinator  
Direct Dial No. 513-564-7077

cc: Mr. Thomas A. Benson  
Mr. Mark B. Bierbower  
Mr. Shannon W. Fisk  
Mr. Makram Bassam Jaber  
Mr. Harry Margerum Johnson III  
Mr. Matthew J. Lund  
Mr. Brent Rosser  
Mr. George Peter Sibley III  
Mr. Michael J. Solo Jr.  
Ms. Mary Melissa Whittle

Enclosure